



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Britz Examiner: Robert W. Hodge  
Application Number: 10/807,893 Art Unit: 1745  
Filing Date: March 24, 2004  
Title: LATCHING DEVICE FOR A BATTERY PACK MODULE

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. SECTION 1.10

This correspondence is being deposited with the United States Postal Service on June 18, 2007 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ER 059 678 843 US addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement (hereinafter sometimes referred to as "IDS") is submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98, and it is requested that the information set forth in this statement and in the documents, listed on the attached Form PTO/SB/08A (Form PTO-1449), be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

## TIMELINESS

This IDS should be considered, as it is filed:

- ☐ in accordance with 37 C.F.R. § 1.97(b):
- ☐ 1. within three months of the filing date of the above-identified national application.
  - ☐ 2. within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in the above-identified application being an international application.
  - ☐ 3. before the mailing date of a first office action on the merits.
  - ☐ 4. before the mailing date of a first office action after the filing of a request for continued examination (RCE) under 37 C.F.R. § 1.114.

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IFU

PTO/SB/17 (06-07)

Approved for use through 06/30/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

### Complete if Known

Application Number	10/807,893
Filing Date	03/24/2004
First Named Inventor	Britz
Examiner Name	Robert W. Hodge
Art Unit	1745
Attorney Docket No.	313,958 (DT-6778)

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 01-0035 Deposit Account Name: ABELMAN,FRAYNE&SCHWAB

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
5 - 20 or HP = 0 x = 0		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
1 - 3 or HP = 0 x = 0		
HP = highest number of independent claims paid for, if greater than 3.		

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
8 - 100 = 0 / 50 = 0 (round up to a whole number) x = 0				

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fees Paid (\$)
	0
Other (e.g., late filing surcharge): Information Disclosure Statement	180

SUBMITTED BY		
Signature	Registration No. 36,223 (Attorney/Agent)	Telephone 212-949-9022
Name (Print/Type) Anthony J. Natoli	Date 06/18/2007	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

☒ in accordance with 37 C.F.R. § 1.97(c), after the times set forth in 37 C.F.R. § 1.97(b), but before the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, and either the necessary statement pursuant to 37 C.F.R. § 1.97(e) appears below (see box C1) or the necessary fee is submitted (see box C2 below).

☐ C1 (check the applicable statement)

☐ I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I, the undersigned, hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

☒ C2 the fee set forth in 37 C.F.R. § 1.17(p), presently believed to be \$ 180.00, is submitted.

#### PAYMENT OF FEES

If any fees are due in accordance with 37 C.F.R. §§ 1.97(c) or (d):

☐ A check for the fee set forth in 37 C.F.R. § 1.17(p), presently believed to be \$ 180.00, is enclosed.

☒ Authorization to charge deposit account 01-0035 for the fee set forth in 37 C.F.R. § 1.17(p), presently believed to be \$ 180.00, is enclosed.

☐ No fees are due.

#### SUBMISSION OF ITEMS OF INFORMATION

In accordance with 37 C.F.R. § 1.98(a)(1), this IDS includes a list on Form PTO/SB/08A (Form PTO-1449) of all patents, publications, or other information submitted for consideration by the Office, incorporated into this IDS as an attachment hereto. Pursuant to 37 C.F.R. § 1.98(b): (i) each U.S. patent listed is identified by patentee, patent number, and issue date; (ii) each foreign patent or published foreign patent application is identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application; and (iii) each publication is identified by author (if any), title, relevant pages of the publication, date, and place of publication. A legible copy of each document listed is attached and incorporated into this IDS, except that no copy of any U.S. patent or patent application is included pursuant to 37 C.F.R. § 1.98(a)(2)(iii) and except as explained below.

These documents are identified by attaching hereto copies of the forms PTO-892 and/or Form PTO/SB/08A (Form PTO-1449) from the files of the prior application(s) and the applicant requests that they be considered and made of record in this application in accordance with 37 C.F.R. § 1.98(d). Pursuant to 37 C.F.R. § 1.98(d), copies of these documents need not be provided with this IDS.

## RELEVANCE OF THE ITEMS OF INFORMATION

U.S. Patent Numbers 4,990,731 and 5,213,913; and DE19903263; EP0582729; and EP1069630 are listed and discussed on page 2 of the present application.

US 6,500,581 B2 to White is equivalent to EP1069630, and US 6,500,581 B2 has already been cited by the examiner on Form PTO-892, and so a copy of EP1069630 is not provided.

## DISCUSSION OF THE NON-ENGLISH ITEMS OF INFORMATION

Document DE 19903263 is not in the English language.

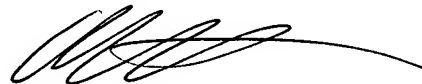
In accordance with 37 C.F.R. §§ 1.98(a)(3) and 1.98(c), it is stated that:

[X] A concise explanation of the relevance of DE19903263 is to be found on page 2 of the specification.

In accordance with 37 C.F.R. §§ 1.97(g) and 1.97(h), the filing of this IDS shall not be construed as a representation that a search has been made or as an admission that information cited in this IDS is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Please charge any deficiency or other fees or credit any refund or overpayment to Deposit Account No. 01-0035.

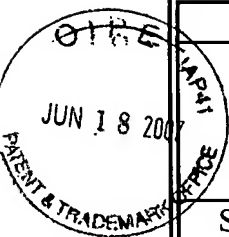
Respectfully submitted,



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Attorney for applicant

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Form PTO-1449	PTO/SB/08A	Application Number	10/807,893		
<b>LIST OF ITEMS OF INFORMATION CITED BY APPLICANT</b> (accompanying Information Disclosure Statement and copies of items, if required)		Filing Date	03/24/2004		
		First Named Inventor	Britz		
		Art Unit	1745		
		Examiner Name	Hodge		
Sheet	1	of	1	Attorney Docket Number	313,958
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Document Number listing Number and Kind Code (if known)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited U.S. Document	Pages, Columns, or Lines, Where Relevant Passages or Figures Appear	
	US 4,990,731	02-05-1991	Wu et al.	Entire document.	
	US 5,213,913	05-25-1993	Anthony III, et al.	Entire document.	
<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Document Number listing Country Code, Number, and Kind Code (if known)	Publication Date MM-DD-YYYY	Document in English ?		Pages, Columns, or Lines, Where Relevant Passages or Figures Appear
			Yes	No	
	DE 19903263 A1	08-24-2000	Abstract Only	✓	Entire document.
	EP 0582729 A1	02-16-1994	✓		Entire document.
	EP 1069630	01-17-2001	✓		Entire document.
<b>NON-PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Name of the author (if known) in capital letters, title of the document, name or title of the source of the document, date of publication, pages, volume and issue numbers, publisher, and city and/or country where published				
Examiner Signature			Date Considered		
*Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.					